



May 11, 2007

**Washington State Mental Health Counselors, Marriage and Family Therapists, and
Social Workers Advisory Committee Meeting Minutes**

LOCATION: Creekside Three at CenterPoint
20435 72nd Avenue South, Second Floor, Room 2
Kent, Washington 98032

COMMITTEE MEMBERS:

Carl Greenberg, LMFT
Susan Bogni, Public Member, Chair
Philip Brown, LICSW, LMFT, Ph.D.
Alison Hadley, LICSW
Lisa Erickson, LMHC, Vice-Chair
Joseph Price, LMFT, LMHC, Ph.D.
Judy Roberts, LMHC
Joyce Gaidies, Public Member

STAFF PRESENT: Bob Nicoloff, Executive Director
Tammy Kelley, Disciplinary Manager
Patrick Hanley, Staff Attorney
Miranda Bayne, Staff Attorney
Betty Moe, Program Manager

AAG PRESENT: Elizabeth Baker, Assistant Attorney General

On May 18, 2007 the Washington State Mental Health Counselors, Marriage and Family Therapists, and Social Workers Advisory Committee Meeting Minutes (committee) met in Kent, Washington at Creekside Three at CenterPoint 20435 72nd Avenue South, Second Floor, Room 2, Kent, Washington 98032. In accordance with the Open Public Meetings Act, the meeting agenda was e-mailed to members of the Licensed Counselors Listserv.

OPEN SESSION

1. **CALL TO ORDER –Susan Bogni, Public Member, Chair** **9:00 a.m.**

- 1.1 The meeting was called to order by Susan Bogni, Public Member, Chair at 9:10 am.
 - The agenda was approved as written.
- 1.2 The February 9, 2007 meeting minutes were approved as written.

2. **ASSISTANT ATTORNEY GENERAL (AAG) REPORT – Elizabeth Baker, AAG**

- 2.1 Elizabeth Baker discussed the use of acronyms. The ability to put acronyms is open to debate, and is protected free speech. We are limited in our ability to tell people that they cannot use certain acronyms, as long as they are not misrepresenting themselves to the public. The Uniform Disciplinary Act (UDA) limits all advertising false or misleading, under the constitution we (DOH) are limited in our ability to control the use of acronyms when tied to a profession.
- 2.2 Elizabeth Baker talked about the term 'peer' as defined by WAC 246-924-110, WAC 246-924-210 & WAC 246-924-310 with committee members.

As applied to social workers, the term 'peer' is defined in WAC 246-809-310 to mean a co-worker who is not the licensure candidate's employer or supervisor. The requirements for serving as an approved supervisor are set forth in WAC 246-809-334.

The ability for a qualified line staff employee from a different agency or department to provide supervision depends on several factors including, but not limited to the title of the person asked to provide the supervision, and the qualifications of the person being asked to provide the supervision.

If the qualified line staff employee from a different agency or a different department within the same organization meets the definition of "approved supervisor" in WAC 246-809-334, but is not a "peer" as that term is defined in WAC 246-809-310, then that employee could be allowed to provide the requested supervision for social workers

3. **MANAGEMENT REPORTS – Bob Nicoloff, Executive Director, Tammy Kelley, Disciplinary Manager, & Betty Moe, Program Manager**

3.1 **Licensing Report**

Committee members reviewed current licensing statistics provided by Betty Moe.

Licensed Marriage and Family Therapists

Statistics are as follows:

Total active licenses	1001
Total pending applications	48
Total Expired	193

Licensed Mental Health Counselors

Statistics are as follows:

Total active licenses	4,317
Total pending applications	189
Total Expired	767

Licensed Social Workers**Statistics are as follows:**

Total active licenses	3,004
Total pending applications	236
Total Expired	553

Registered Counselors**Statistics are as follows:**

Total active licenses	18,020
Total pending applications	124
Total Expired	37,794

We are currently working with NBCC to use computer based testing.

3.2 Disciplinary Report

The committee members reviewed the current disciplinary statistics provided by Tammy Kelley.

Licensed Marriage and Family Therapists**Statistics are as follows:**

Investigation:	9
Case Disposition	1
TOTAL NUMBER OF OPEN CASES:	10

Licensed Mental Health Counselors**Statistics are as follows:**

Investigation:	25
Case Disposition:	10
STID – Signed/Present:	2
SOC-Receive Response	4
Adjudication Process	3
TOTAL NUMBER OF OPEN CASES:	44

Licensed Social Workers**Statistics are as follows:**

Investigation:	8
Case Disposition	7
STID – Signed/Present:	2
Adjudication Process	5
TOTAL NUMBER OF OPEN CASES:	22

*****TOTAL NUMBER OF ALL OPEN CASES 76**

Registered Counselors**Statistics are as follows:**

Investigation:	81
Case Disposition	71
SOA STID – Signed/Presented	2
STID-Waiting for response	3
SOA to SOC	2

SOC-Receive Response	7
Produce Scheduling Order	1
Adjudication Process	14
Prepare Default Order	5
On Hold	1
***TOTAL NUMBER OF OPEN CASES:	187

When comparing the number of complaints to the number of credential holders the following was determined:

% of Marriage & Family Therapists with open complaints	0.9%
% of Mental Health Counselors with open complaints	1.01%
% of Licensed Social Workers with open complaints	0.91%
% of Registered Counselors with open complaints	1.03%

When complaints are filed against a licensed person, the complaint is also opened on their registration. Numbers do not reflect only registered credential holders. About ¼ if the complaints on registered counselors are based on their applications rather than complaints from members of the public.

Complaints are opened on applications due to criminal history or personal data information.

3.3 Committee Appointments

- Currently recruiting one public member
- Alison Hadley's and Susan Bogni's terms will be expiring effective July 2007. The committee will need a LASW and additional public member. They will continue serving until new members are appointed.
- A discussion took place regarding the prohibition of committee members serving as expert witnesses in disciplinary cases. Judy Roberts elected to resign from the committee as she has served as an expert witness in the past and would not want to have to make the choice in the future.

Recruitment Notices sent out via listserv at the end of December, February and again in May.

3.4 The interim operating reports were shared for all three professions. At the end of February, program balances were as follows:

Marriage and Family Therapists	\$173,074
Mental Health Counselors	\$-55,915
Social Workers (LASW & LICSW)	\$173,074

Budget issues will be discussed in August with the Department of Health budget analyst.

3.5 Bob Nicoloff presented the Health Professions Quality Assurance proposed fee increases for psychologists. Some professions fees had been temporarily reduced to allow the reserve to decrease; now that the reserve has decreased, it is necessary to increase the fees back to normal. None of the Licensed Counselors fees have been impacted by these changes.

Fees help pay for the credentialing and discipline system. These activities help build and maintain public confidence in the profession. We expect further fee adjustments in January 2008.

- 3.6 Bob Nicoloff provided information about the Citizen Advocacy Center (CAC) a training, research, and support network for public members, professional members, and executive directors of health care regulatory and governing boards. The annual meeting will be held October 29-31, 2007 at the Edgewater Hotel in Seattle, Washington. Creative Regulation: Keeping Boards Relevant is the focus of the conference, topics of discussion will include:

- Continuing Competency Programs-Challenges and Successes
- Impact of Seattle Times investigative reports on Washington State Health Professions Regulation and Discipline
- How to Survive a Committee & Agency Performance Audit
- Effective Scope of Practice Changes Using Best Practice Studies
- Communication & Collaboration with the Public, Health Providers, and Health Organizations

- 3.7 Mr. Nicoloff provided a 2007 legislative update. Engrossed Second Substitute House Bill 1103, relating to health professions discipline had died. This bill would have shifted the boards' authority to the Secretary. Engrossed Second Substitute House Bill 1993 also died, this bill would have abolished registered counselors and created new categories. Laura Groshong commented on 1993. She was very involved in the bill. It was really like 6 bills in one, most bills address one major issue. This bill addressed several issues. The vote in house was 94 to 3.

Committee members reviewed and discussed the following requested by the 2007 legislature:

\$147,000 of the health professions account-state appropriate is provided solely for the department of health to convene a workgroup to develop recommendations regarding the need to regulate those individuals currently registered with the department of health as counselors. The department of health shall submit recommendations of the work group to the legislature and the governor by November 15, 2007. Based on the recommendations of the work group, the department of health shall draft credentialing guidelines for all registered counselors by January 1, 2008. Guidelines shall include education in risk assessment, ethics, professional standards, and deadline for compliance.

Committee members believe the following must occur:

If the group determines "yes" this group needs to be regulated, the group must be a fair representation of those that agree and those that oppose. The group may determine that some members of the registered counselor group need to be regulated, while others do not. The department of health may be tasked to find a group members who fairly represents the registered counselors in Washington. The representation should be from the Washington State Mental Health Counselors, Marriage and Family Therapists, and Social Workers Advisory Committee and the registered counselor task force. Lisa Erickson and Joseph Price volunteered to serve on this work group.

Laura Groshong, indicated this is not all about politics, there are real questions to be discussed, and there are a lot of issues at hand. Legislation usually takes several years, this was the first attempt at the registered counselors, it's not unreasonable to think that something may happen next year. This is a very complex process. Hopefull it will result in a good outcome. We need to look at how the public would be better served. Only two other states, Colorado and Mainine have these type of credentials. All other states have determined that licensure is to the benefit of the public.

3.8 Betty Moe shared commonly asked questions with committee members for discussion.

- Ms. Moe shared an increasing number of questions about on-line therapy. The rules related to Licensed Mental Health Counselors, Licensed Marriage and Family Therapists, Licensed Independent Clinical Social Workers, Licensed Advanced Social Workers. The committee suggested referring people to their national association for guidance.
- The second question addressed the possibility of phone counseling counted towards some the of the supervision hours. The committee suggested that phone counseling only count towards distance supervision hours.
- Questions related to credentialing as an art therapist will be looked at on an as needed basis, to determine educational equivalencies.

4. SEXUAL MISCONDUCT RULES

(Lunch will be provided for members of the committee at this time)

Committee members discussed progress of the sexual misconduct rules. Committee members reviewed the secretary profession sexual misconduct rule combined with current language.

Betty Moe will do the paperwork to file a CR102, once filled there will be a hearing for the public to address their concerns about the proposed rules.

5. PUBLIC COMMENT

The committee will hear comments from the public and the public may request items to be placed on a future meeting agenda.

6. DISCUSSION AND ELECTION OF CHAIR AND VICE-CHAIR-Susan Bogni, Public Member Chair

Committee members discussed new chairs and vice-chairs. The determination was made that Lisa Erickson would continue to serve as vice-chair and Carl Greenberg will be the new chair, and will start serving at the next meeting.

7. CONSENT AGENDA

The items listed under the consent agenda (informational items) are considered routine agency matters and will be approved by a single motion of the committee without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda for discussion. No items were removed from the agenda for discussion.

7.1 March issue of "The Sentinel News for Department Employees."

7.2 "We Aspire" Health Professions Quality Assurance March 2007 monthly report.

Committee members approved and the consent agenda and would like it to a regular agenda item.

8. REVIEW OF EDUCATIONAL REQUIREMENTS FOR MENTAL HEALTH COUNSELORS-
Betty Moe, Program Manager

Committee members reviewed the educational review matrix of some of the schools in Washington providing education for mental health counselors. The matrix included the name of the degree offered, credits, courses, and details on internship/practicum.

The following educational institutions were reviewed: Seattle University, Mars Hill, Argosy, City University, Walla Walla College, Antioch University, Heritage College, Seattle Pacific University, Saint Martin's University, Central Washington University, and Northwest University. Western Washington University, Eastern Washington University, and Gonzaga University are accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) and were not included in the review.

Committee members discussed that Washington is one of the few states that does not require a minimum number of graduate semester hours. Concerns raised by committee members are listed below:

- Heritage College only requires 40 total credits and appears it may not offer the courses required in order to meet the educational requirements found in WAC 246-809-220. This situation happened before with an educational institution, and there were several students that had to take more courses in order to become licensed in Washington. There were fears that the same thing may happen with graduates from Heritage College if students were not diligent in reviewing the education requirements listed in WAC 246-809-220.
- Concerns were expressed about the quality of preparation of education experience, requiring a number of semester hours may be a waste of time.
- Faculty signing off without due diligence about those they are supervising.

9. FUTURE AGENDA ITEMS-Susan Bogni, Public Member Chair

Discussion and development of future meeting agenda items

FUTURE AGENDA ITEMS-Susan Bogni, Public Member Chair

- Budget Issue and projections
- Sexual Misconduct Rules Update

Meeting Schedule for 2007:

September 21, 2007 was changed to August 24, 2007, Kent, Washington
November 16, 2007, Kent, Washington

10. Adjournment – The Committee meeting adjourned at 2:30 pm

Submitted by:

Signature on File _____

Betty Moe, Program Manager

Washington State Mental Health Counselors, Marriage and Family Therapists
and Social Worker Advisory Committee

Approved by:

Signature on File _____

Carl Greenberg, LMFT, Chair

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